

TO: Mail Stop 8
Director of the U.S. Patent and Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450

REPORT ON THE
FILING OR DETERMINATION OF AN
ACTION REGARDING A PATENT OR TRADEMARK

In Compliance with 35 U.S.C. § 290 and/or 15 U.S.C. § 1116 you are hereby advised
that a court action has been filed in the U.S. District Court San Diego on the following Patents or Trademarks:

| | | |
|----------------------------------|--------------------------------|--|
| DOCKET NO. 06CV496-DMS(POR) | DATE FILED 3/7/06 | U.S. DISTRICT COURT United States District Court, Southern District of California |
| PLAINTIFF David H. Katz, M.D. | | DEFENDANT Avanir Pharmaceuticals |
| PATENT OR TRADEMARK NO. | DATE OF PATENT OR TRADEMARK | HOLDER OF PATENT OR TRADEMARK |
| 1 6,271,390 | 8/7/01 | Avanir Pharmaceuticals |
| 2 6,303,645 | 10/16/01 | Avanir Pharmaceuticals |
| 3 6,369,091 | 4/9/02 | Avanir Pharmaceuticals |
| 4 6,919,366 | 7/19/05 | Avanir Pharmaceuticals |
| 5 6,759,425 | 7/6/04 | Avanir Pharmaceuticals |
| 6 6,911,462 | 6/28/05 | Avanir Pharmaceuticals |
| 7 6,270,746 | 8/7/06 | David H. Katz, M.D. |

In the above-entitled case, the following patent(s)/trademark(s) have been included:

| | | | |
|----------------------------|---|-------------------------------|--|
| DATE INCLUDED | INCLUDED BY <input type="checkbox"/> Amendment <input type="checkbox"/> Answer <input type="checkbox"/> Cross Bill <input type="checkbox"/> Other Pleading | | |
| PATENT OR TRADEMARK NO. | DATE OF PATENT OR TRADEMARK | HOLDER OF PATENT OR TRADEMARK | |
| 1 | | | |
| 2 | | | |

In the above-entitled case, the following decision has been rendered or judgment issued:

| | | |
|--|---|-------------------|
| DECISION/JUDGMENT <i>attached</i> | | |
| CLERK | (BY) DEPUTY CLERK <i>[Signature]</i> | DATE 4/11/2008 |

Copy 1 - Upon initiation of action, mail this copy to Director

Copy 2 - Upon filing document adding patent(s), mail this copy to Director

Copy 3 - Upon termination of action, mail this copy to Director

Copy 4 - Case file copy

1
2
3
4
5
6
7
8 UNITED STATES DISTRICT COURT
9 SOUTHERN DISTRICT OF CALIFORNIA
10

11 DAVID H. KATZ, M.D.,

12 Plaintiff,

13 v.

14 AVANIR PHARMACEUTICALS,

15 Defendant.

16 AVANIR PHARMACEUTICALS,

17 Counterclaimant,

18 v.
19

20 DAVID H. KATZ, M.D., and LEE R. KATZ,

21 Counterdefendants.

Case No. 06-CV-0496 DMS(LSP)

**ORDER DISMISSING ACTION WITH
PREJUDICE**

22 Pursuant to the Joint Motion to Dismiss the Action with Prejudice Pursuant to Settlement
23 and Good Cause Appearing,

24 ///

25 ///

26 ///

27 ///

28 ///

1 The entire action is dismissed with prejudice. Each party will bear their own
2 attorneys' fees and costs.

3
4
5 **IT IS SO ORDERED**

6 Dated: March 17, 2008

7 
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
UNITED STATES DISTRICT COURT JUDGE